REMARKS

INTRODUCTION:

Claims 1-31 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 2, item 2, the Examiner rejected claims 1-4 under 35 U.S.C. §102 (b) as being anticipated by Shirasawa et al. (U.S. 6,445,895 - hereinafter Shirasawa). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 2, item 3, the Examiner rejected claims 1 and 11 under 35 U.S.C. §102 (b) as being anticipated by Kohno et al. (U.S. 6,067,436 – hereinafter Kohno). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 3, item 4, the Examiner rejected claims 1 and 13 under 35 U.S.C. §102 (b) as being anticipated by Lee (U.S. 6,249,662 – hereinafter Lee). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 3, item 5, the Examiner rejected claims 1 and 12 under 35 U.S.C. §102 (e) as being anticipated by Saito et al. (U.S. 6,711,367 – hereinafter Saito). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

The MPEP states: "[t]o anticipate a claim, the reference must teach every element of the claim." (MPEP 2131).

The MPEP then quotes: "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (Quoted in MPEP 2131).

The MPEP further quotes "[t]he elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required." *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). (Quoted in MPEP 2131).

The Examiner asserts that each of Shirasawa, Kohno, Lee, and Saito disclose each and every element as set forth in independent claim 1. Applicants respectfully disagree.

Independent claim 1 recites: "...a tension applying part to apply a predetermined tension to the belt, installed with respect to the belt; a tension releasing part operating the tension applying part to not apply the predetermined tension to the belt, installed with respect to the tension applying part; and a tension actuating part, to actuate the tension applying part to apply the predetermined tension to the belt against the tension releasing part, only during operation of the driving unit, installed with respect to the driving unit and the tension releasing part."

The Examiner asserts that the tension link 13 of Shirasawa corresponds to the tension applying part of the subject application.

Shirasawa discloses an image forming apparatus with a belt tension applying mechanism, including a tension link 13, a stopper guide 14, and a spring 15, that tensions a belt photosensitive belt 1 of a photosensitive belt cartridge 12 when the belt cartridge 12 is inserted into the image forming apparatus. More specifically, spring 15 biases tension link 13 to abut against stopping guide 14 when the belt cartridge 12 is not installed. When the belt cartridge 12 is installed, a rotation shaft of tension roller 4 of the belt cartridge engages tension link 13, thereby causing spring 15 to apply tension to the belt 1 via the tension roller 4. (See Shirasawa, at FIGS. 2, 4, 6, and 7, and col. 5, line 39 to col. 6, line 27). Thus, tension is constantly applied to belt 1 when the cartridge is installed.

Applicants respectfully submit that Shirasawa neither discloses nor suggests a tension releasing part operating the tension link 13 to not apply the predetermined tension to the belt 1, installed with respect to the tension link 13; and a tension actuating part, to actuate the tension link 13 to apply the predetermined tension to the belt 1 against the tension releasing part, only during operation of the driving unit, installed with respect to the driving unit and the tension releasing part.

Thus, Shirasawa fails to disclose every element of the claims, arranged as required by the claims.

Kohno discloses an image forming machine that includes a transfer belt assembly that ascends and descends between acting and non-acting positions. A resilient urging means 250 resiliently urges moving members 242 toward a direction in which tension roller 46, which is mounted on lift frame 140 via moving members 242, applies tension to endless belt 52. Cam members 168, driven by drive source 170, move the lift frame 140 and moving members 242 between an ascent position, in which tension is applied by the tension roller, and a descent

position, in which the tension roller 46 does not apply the tension to the belt 52, against the resilient urging action of the resilient urging means 250. (See Kohno, at col. 9, lines 1-41, and col. 12, line 50 to col. 13, line 49).

Accordingly, tension is applied to belt 52 when the lift frame 140 and moving members 242 are in the ascent (acting) position, regardless of whether the belt 52 is being driven by drive roller 44 via support shaft 200 and drive source 206. (See Kohno, at col. 10, line 62 to col. 11, line 6).

Thus, Kohno fails to disclose every element of the claims, arranged as required by the claims.

Lee discloses a tension adjusting device having a spring 342 disposed on an outer circumference of a guide bar 330, an eccentric cam 350 installed at an end of the guide bar 330 to control an elastic force applied to the spring 342, and a driving motor 360 that rotates the eccentric cam 350. The driving motor is controlled in three modes: normal print mode, loosened tension mode and belt replace mode. (See Lee, at col. 3, line 48 to col. 4, line 61). Lee neither discloses nor suggests that the spring 342 is actuated to apply a predetermined tension to a belt 10 against a tension releasing part, only when belt 10 is being rotated.

Thus, Lee fails to disclose every element of the claims, arranged as required by the claims.

Saito discloses spring 18a that urges, via bearing 18b, the tension roller 18 to stretch and apply tension to the transfer belt 5. Saito also discloses a tension roller remote lever 18c, which removes tension from the intermediate transfer belt 5 by pushing the bearing 18b. Use of the tension roller remote lever 18c bears no relationship to the belt being driven by driving roller 17. (See Saito, at col. 6, lines 19-26, and col. 6, line 60 to col. 7, line 32).

Thus, Saito fails to disclose every element of the claims, arranged as required by the claims.

Accordingly, Applicant respectfully submits that the Examiner has not provided sufficient evidence to maintain a prima facie anticipation rejection of claim 1.

Thus, Applicants respectfully submit that independent claim 1 patentably distinguishes over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicants respectfully submit that claims 2-4, and 11-13, which ultimately depend from independent claim 1, should be allowable for at least the same reasons as claim 1, as well as for the additional features recited therein.

CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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